

**ULSTER COUNTY LEGISLATURE
COMMITTEE MEETING MINUTES**

NAME OF COMMITTEE: Health and Human Services Committee

DATE: June 2, 2011

TIME: 6:00 P.M.

PLACE: Library Conference Room

LEGISLATORS PRESENT: Chairman Frey, Legislator's, Parete, Harris, Maio, Petit, Ronk, Loughran

LEGISLATOR EXCUSED: Leg. Briggs, Stoeckeler

OTHERS ATTENDING: Lee Cane LWV, Mental Health Dept. Employees, Concerned Citizens, Nettie Tomshaw UC Legislature Staff.

- The meeting was called to order by Chairman Walter Frey at 6:03 PM.
- Amy Russell, a West Hurley resident provided copies to the committee of a letter she wrote to Dr. LaMar Hasbrouck about her family struggles and success dealing with mental health issues, referencing a Kingston Freeman article "Putting Family First".
- A motion by Legislator Loughran was made to accept the May 5, 2011 Committee Meeting Minutes, Seconded by Legislator Harris, all were in favor, Carried.
- Chairman Frey directed committee members to the multiple correspondences in their packet he received in reference to the Golden Hill Health Care Center, noting one of the documents from the NYS Dept. of Health explains the reason the nursing home is set up as an Enterprise Fund. Noting, an Enterprise Fund is a governmental accounting that provides goods or services to the public for a fee that makes the entity self-supporting. Generally accepted accounting principles requires state and local governments to use the enterprise fund type to account for "business-type activities" - activities similar to those found in the private sector. Business type activities include services primarily funded through user charges. (see attachments)
Leg. Parete asked if every county owned nursing home is setup as an enterprise fund? A. - Leg. Frey unsure but is typically used for accounting purposes required for health related facilities.

Resolutions:

- 1.) Resolution Draft No. 0603, June 2, 2011: Amending The 2011 Ulster County Budget - Long Term Care Point Of Entry (NY Connects) Program - Department Of Social Services

Marshall Beckman gave a brief overview - DDS received additional funding for anyone needing long term care.

Motion offered to move Resolution forward by Legislator Harris, Seconded by Legislator Parete, Unanimously in Favor, Carried.

- 2.) Resolution Draft No. 0604, June 2, 2011: Amending The 2011 Ulster County Budget - Child Support Incentive Allocation - Department Of Social Services

Leg. Petit has received multiple complaints of time delays with child support - as much as 10 weeks behind. Leg. Petit would like to find a way to expedite matters. Marshall Beckman feels some vacancies in the department are the reason and are being resolved. Feels it will get better with time, however resources are never there to meet all the demands.

Leg. Parete asked what is the county share - reimbursement? A - M. Beckman unsure.

Leg. Petit requested Marshall Beckman advise committee when positions have been filled.

Motion offered to move Resolution forward by Legislator Parete, Seconded by Legislator Ronk, Unanimously in Favor, Carried.

- 3.) Resolution Draft No. 0605 June 2, 2011: Authorizing An Expenditure To Reduce The Local Municipalities Proportionate Cost Of The Safety Net Program

Committee discussion took place on cost shifting. Also accolades for a job well done noted by Leg. Harris to all parties involved helping resolve the added expense and burden put on the local municipalities. Safety Net expenditures - spread sheets were provided to committee as backup. (see attachments)

Chairman Frey stated cost shifting is happening in all departments such as Golden Hill and Youth Bureau and will continue - it's a trickle down affect.

Motion offered to move Resolution forward by Legislator Harris, Seconded by Legislator Parete, Unanimously in Favor, Carried.

- 4.) Resolution Draft No. 0624, June 2, 2011: Directing That The Cost Of All Of The Assistance And Care For Which Towns And Cities Are Responsible Shall Be A Charge On The County Social Services District And Administered Under The Direction Of The County Commissioner Of Social Services, Pursuant To Section 72 Of The Social Services Law

Committee discussion ensued, assessed rate, phasing in period, what is the right thing to do, projected numbers, annual previous discussions, charge backs for work done, ex. roads etc., discrimination, cost shifting, sales tax allocation, creating new dept. to administer as dept. is already over burdened, pros and cons.

Leg. Parete asked what would the local property tax increase be for the county taxes vs. the town taxes with 100% county share? Leg. Loughran will make the request.

Leg. Loughran stated we are the only county in NYS that does this. Why should the tax payers in City of Kingston - the people footing the bill are paying for a service they do not use! They're being charged solely because someone lives in the city that is collecting social services.

Leg. Ronk asked Marshall Beckman if there has been an update on the City of Kingston's law suit with the County? A - M. Beckman, not that I'm aware of. Leg. Ronk is 100% willing to negotiate Safety Net with the City of Kingston if the city is willing to negotiate Sales Tax.

Leg. Harris noted in past years the committee rec'd. a cost comparison showing the exact impact provided by the Commissioner.

Leg. Harris made a request for this same report showing the impact from 50 to 71 percent on each municipality be provided to the committee. Leg. Frey/Marshall Beckman will follow up.

Leg. Petit conveyed on a town supervisor's behalf that the bills are very hard to read. Asks if the 3 digit town code could be put after their name to help prevent billing errors.

Motion offered to move Resolution forward by Legislator Loughran, Seconded by Legislator Parete. Ayes (2) Loughran & Parete. Noes (5) Petit, Harris, Maio, Frey, Ronk Resolution Defeated.

Discussion:

Summer Youth Employment Program: May receive additional grant funding - not guaranteed. Nancy Schaef, Director of Dept. Employment & Training will formulate a resolution in the event funding is received. Full committee support is anticipated. Resolution will most likely go to Ken Roberts Ways & Means Committee as a late resolution.

Hudson River Psychiatric Hospital: Walter Frey emailed committee / Marshall Beckman overview (see attachment)

- Psychiatric hospital closing
- Possible consolidation with Rockland Psychiatric Center
- Cuts coming down from the State - shifting away from county operations
- 120 beds at stake (90 will end up in Rockland)
- 20-40 people will be forced out into the community - closure will have a domino effect, unsafe conditions and people will get hurt.
- Advocate to insure bed closures be reinvested back in the community per the intent of the original Reinvestment Act - save jobs.
- Funds should remain in mental health and not in the states general fund.
- Long travel for families to Rockland, 1½ hr. (nothing between Rockland and Albany)
- Effects future of the Tudor House in Kingston & (2) locations in Dutchess county.
- All counties need to come together - united front (some counties don't see this as we do - have own interests)
- Lack of state funding to support the whole mental health system / services.
- Promise made that the county will get more supported housing beds (a lower level supervision than these people need)
- Possible memorializing resolution suggested keeping Tudor House open along with (2) Dutchess county residence locations, pull together as a united front - coalition of counties. (too late to try to keep Hudson River State from closing)
- Marshall Beckman expecting an update in the next couple of weeks.

Mental Health Dept. Update:

- Chairman Frey was asked to serve on the Mental Health Integration Task Force Committee

- Mental Health Dept. and Public Health Mgmt. Team consolidation / integration in progress with plans to house everyone in one facility - possible location Flatbush Ave.
- All will be under Dr. Hasbrouck's management
- NYS compliance considerations
- Do not want to make cuts before proof the process works
- Employee input is part of the process
- Explained integration to staff back in March along w/ transition of Ed Brown retiring and discussed same financial data provided to the Golden Hill panel visiting towns - too expensive for counties.
- Tried to be respectful to the staff in all fashions
- CSEA contract prohibits subcontracting with a provider if layoffs take place
- County Executive is fully committed to providing Golden Hill mental health services to the community. Still to be determined how the county will proceed - still in the exploratory phase.
- No policy decisions will be made before the budget comes out.
- Committee expressed concern that they learn fate of MH Dept. on budget release day & not before - feels a policy change should be discussed with the Legislature before the budget comes out. Committee disappointed they were not consulted and asked that information be shared going forward.
- Marshall Beckman & Leg. Frey will share more with committee as their meetings progress

New York State Dept. of Health, Office of the Medicaid Inspector General: (Marshall Beckman)

- Received final audit report on May 26, 2011 of the Mental Health Outpatient Chemical Dependence Services paid from July 1, 2004 - December 31, 2008. (attachment)
- Brought our corporate compliant consultant on board late last fall.
- NYS initially wanted a recovery of approx. \$800K - was able to reduce recovery to a final offer of \$303K.
- This office can now go back 6 years to review records to recover funds if desired.
- Consultant does not feel we should appeal - fee could go up to \$500K if we appeal - this is all about the federal and state governments balancing their budget.
- (4) different depts. involved in Medicaid billing; Social Services, Mental Health, Golden Hill and the Health Department
- Bottom line is we have to pay this money back
- Committee to schedule special meeting with Ms. June Crawford, Consultant w/ The Bonadio Group on June 16th.
- Provided Chairman Wadnola copies of all minutes from previous meetings.
- Golden Hill was fined \$40K recently for using an outdated form.
- Concern for taxi cab fees to transport patients to doctor's visits. \$2.5 million overall, Leg. Petit wonders why they don't focus on reducing these costs - utilize UCAT. Leg. Parete rec'd. email from Commission Rodriguez a while back why UCAT could not be used and will forward to committee.

Marshall Beckman noted for the record that this audit is only the beginning of what will be a regular occurrence in that the OMIG will be auditing all health services providers who bill Medicaid and Medicare with the intention to recover reimbursements. If you are in the business of billing Medicaid and Medicare, returning income will be a routine matter.

Home Health License Update:

Our agreements with the buyer are taken care of. Now waiting on the State to finalize its approval of

their certificate of need application. Marshall to call the Principle tomorrow to expedite the process with the state.

The meeting was adjourned at 7:25 PM with a motion offered by Legislator Ronk, Seconded by Legislator Parete, with all in favor, Carried.

Respectfully Submitted,

**Walter Frey, Chairman /nt
Health & Human Services Committee**